

Message Text

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ACTION PM-04

INFO OCT-01 EA-07 ISO-00 L-03 H-01 NSC-05 SP-02 SS-15
AID-05 IGA-02 OMB-01 TRSE-00 CIAE-00 INR-07
NSAE-00 SSO-00 INRE-00 NSCE-00 /053 W
-----090950Z 092677 /15

O R 090916Z MAY 77
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC IMMEDIATE 7552
SECDEF WASHDC IMMEDIATE
INFO CINCPAC HONOLULU
COMUSJAPAN YOKOTA

C O N F I D E N T I A L TOKYO 6724

CINCPAC ALSO FOR POLAD

E.O. 11652: GDS
TAGS: MASS, JA
SUBJECT: CONGRESSIONAL ACTION ON MAAGS-CONVERSION OF MDAO TO ODC

REF: (A) STATE 249429 DTG 070242Z OCT. 76, (B) STATE
104427 DTG 070221Z MAY 77

SUMMARY: UNEXPECTED CONGRESSIONAL ACTION APPARENTLY
TO DISESTABLISH MDAO IN FAVOR OF ODC COULD HAVE
MAJOR IMPLICATIONS FOR MDAO ARRANGEMENTS. EXCEPT FOR
PROBABLE LOSS OF GOJ REIMBURSEMENT, PROBLEMS APPEAR
MANAGEABLE, PROVIDED OUR ASSUMPTIONS ARE CORRECT CON-
CERNING ODC MANDATE. END SUMMARY.

1. WE ASSUME FROM REF B. THAT UNLESS EITHER FULL COMMITTEES
OR CONGRESS REVERSE SUBCOMMITTEE POSITIONS IN BOTH HOUSES,
MUTUAL DEFENSE ASSISTANCE OFFICE (MDAO) HERE WILL BE
SUPERSEDED BY AN OFFICE OF DEFENSE COOPERATION (ODC)
WITH A MAXIMUM LIMIT OF SIX MILITARY PERSONNEL.
OUR CONCERN ABOUT THIS DEVELOPMENT IS STIMULATED BY PREVIOUS
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ARDUOUS EXPERIENCE WITH GOJ IN 1968/69 WHEN SIMPLE ACT OF
REDESIGNATING MAAG INTO MDAO NARROWLY ESCAPED BLOOMING INTO
FULL-FLEDGED RENEGOTIATION OF PARENT MUTUAL DEFENSE
ASSISTANCE AGREEMENT (MDAA) OF 1954. FOREIGN OFFICE
OFFICIALS HAVE ALREADY EXPRESSED BELIEF THAT SIGNIFICANT
CHANGE IN MDAO STRUCTURE AND POSSIBLY EVEN NAME
CHANGE WOULD REQUIRE MDAA RENEGOTIATIONS, WHICH THEY WOULD

PREFER TO AVOID. FONOFF HAS ALSO EXPRESSED OPINION THAT GOJ COULD NOT OBTAIN DIET APPROVAL OF NEW AGREEMENT EMBODYING GOJ REIMBURSEMENT ARRANGEMENTS.

2. OUR INFORMAL ASSESSMENT IS THAT, OVERALL, GOJ DESIRES TO RETAIN DEFENSE ASSISTANCE PORTION OF AGREEMENT, COROLLARY DATA-EXCHANGE AGREEMENTS, AND OTHER EXCHANGES OF CLASSIFIED INFORMATION UNDER THE MDAA'S SUBSIDIARY AGREEMENTS ON "INTERCHANGE OF PATENT RIGHTS AND TECHNICAL INFORMATION FOR PURPOSES OF DEFENSE" OF 1956. FONOFF WOULD PROBABLY PREFER TON BALANCE (IF DIET ARRANGEMENTS CAN BE MADE) TO TRANSFER THESE FUNCTIONS TO EITHER A DEFO OR ODC WHILE BEING ABLE TO DROP DIRECT REIMBURSEMENT ARRANGEMENTS. WE DO NOT BELIEVE GOJ WOULD OBJECT TO RECOVERY OF THOSE COSTS BY INDIRECT MEANS, I.E., THROUGH SURCHARGE FOR SERVICES.

3. THUS EXCEPT FOR REIMBURSEMENT, WE BELIEVE CHANGE TO ODC COULD BE RELATIVELY PAINLESS, PROVIDED GOJ POSITION IS AS OUTLINED ABOVE, AND IF FOLLOWING ASSUMPTIONS CORRECT:

A. ODC WILL BE SUCCESSOR TO MDAO FOR ALL FUNCTIONS AGREED BETWEEN TWO GOVERNMENTS AS RESULT OF MDAA, INCLUDING ALL ARRANGEMENTS AND SUBSIDIARY AGREEMENTS, E.G., DATA-EXCHANGE AGREEMENTS, CO-PRODUCTION AGREEMENTS.

B. THE REQUIREMENT FOR HOST-COUNTRY CONTRIBUTIONS IN CASH AND ASSISTANCE IN KIND WILL TERMINATE WITH CHANGE TO ODC PER PRECEDENTS IN REF A.

C. SIZE OF CIVILIAN AND LOCAL NATIONAL COMPONENTS
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OF ODC WILL BE DETERMINED BY WORK REQUIREMENTS AND NOT BY AN ARBITRARY CEILING.
REQUEST CONFIRMATION OF THESE ASSUMPTIONS.
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Message Attributes

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Disposition Event:
Disposition History: n/a
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